



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

CHIRON CORPORATION  
INTELLECTUAL PROPERTY R440  
PO BOX 8097  
EMERYVILLE, CA 94662-8097

COPY MAILED

AUG 14 2008

In re Application of :  
Claire Fraser, et al. :  
Application No. 09/674,546 : DECISION GRANTING PETITION  
Filed: November 4, 2002 : UNDER 37 CFR 1.313(c)(2)  
Attorney Docket No. PP00365.301 :

This is a decision on the petition under 37 CFR 1.313(c)(2), filed August 12, 2007, to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

*Petitioner is advised that the issue fee paid on November 12, 2007 cannot be refunded. If, however, this application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.<sup>1</sup>*

The petition is not signed by an attorney of record. Nevertheless, in accordance with 37 CFR 1.34, the signature of Mr. Otis Littlefield appearing on the correspondence shall constitute a representation to the United States Patent and Trademark Office that he is authorized to represent the particular party on whose behalf he acts. If Mr. Littlefield desires to receive future correspondence regarding this file, the appropriate power of attorney documents must be submitted. A courtesy copy of this decision is being mailed to petitioner herein. However, until otherwise instructed, all future correspondence regarding this application file will be directed solely to the above-noted correspondence address of record.

Telephone inquiries regarding this decision should be directed to undersigned at (571) 272-1642.

---

<sup>1</sup> The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Part B – Fee(s) Transmittal Form (along with any balance due at the time of submission). Petitioner is advised that the Issue Fee Transmittal Form must be completed and timely submitted to avoid abandonment of the application.

This application is being referred to Technology Center AU 1645 for processing of the request for continued examination under 37 CFR 1.114 and for consideration of the concurrently filed information disclosure statement.



April M. Wise  
Petitions Examiner  
Office of Petitions

cc: OTIS LITTLEFIELD  
MORRISON & FOERSTER, LLP  
425 MARKET STREET  
SAN FRANCISCO, CA 94105-2482